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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOSEF GUTTMANN,

Plaintiff,

vs.

JPMORGAN CHASE BANK N.A., a
National Association.

Defendant.

Case No.:

**NOTICE OF REMOVAL PURSUANT
TO 28 USC § 1441(a) & (c)**

Pursuant to the provisions of 28 U.S.C. § 1441(a) & (c) and 28 U.S.C. § 1446, Defendant, by and through its counsel, the law firm of GREENBERG TRAURIG, LLP, files this Notice of Removal from the Justice Court, Las Vegas Township, Clark County, Nevada, to the United States District Court for the District of Nevada. In support of removal, Defendant states as follows:

1. The above-entitled action was commenced in the Justice Court, Las Vegas Township, Clark County, Nevada, Case No. 20A003560, and is now pending in that Court ("State Court Action").

2. Plaintiff commenced the State Court Action by filing a Small Claims Complaint ("Complaint") on December 25, 2020. (A copy of the Complaint is attached hereto as **Exhibit A**).

3. The Complaint was served on Defendant on January 19, 2021. (*See Exhibit A*).

4. No further proceedings have been filed in the State Court Action.

5. On its face, the Complaint alleges, *inter alia*, that Defendant violated the Fair Credit Reporting Act under 15 U.S.C. § 1681 *et seq.*

6. This action is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by the Defendant pursuant to 28 U.S.C. § 1441(a) and (c) in that it asserts alleged violations of 15 U.S.C. § 1681 *et seq.* and therefore presents federal questions.

7. This Court is the proper venue for the removal of this action because it is the district court of the United States for the district and division embracing the place where the action is pending. *See* 28 U.S.C. § 1441(a).

8. Thirty days have not elapsed since the Defendant was served with the Complaint.

9. Pursuant to Section 28 U.S.C. § 1441, the Defendant is entitled to remove this action to this Court.

10. A true and correct copy of this Notice of Removal is being served on all named parties to this suit that have lodged an appearance in the State Court Action and filed this date with the Clerk of the Justice Court Las Vegas Township, Clark County, Nevada.

11. If any question arises as to the propriety of this removal, Defendant requests the opportunity to brief any disputed issues and to present oral argument in support of its position that this case is properly removable.

12. Nothing in this Notice of Removal shall be interpreted as a waiver or relinquishment of the Defendant's right to assert any defense or affirmative matter, including, but not limited to, the defenses of lack of jurisdiction over the person, improper venue, insufficiency of process, insufficiency of service of process, failure to state a claim, fraudulent joinder or any other procedural or substantive defense available to the Defendants.

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1 Based on the foregoing, the Defendant hereby removes the State Court Action to this
2 Court.

3 DATED this 8th day of February, 2021.

4 **GREENBERG TRAURIG, LLP**

5
6 /s/ Jacob D. Bundick

7 JACOB D. BUNDICK, ESQ.

8 Nevada Bar No. 9772

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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 8th day of February, 2021, a true and correct copy of the foregoing ***NOTICE OF REMOVAL PURSUANT TO 28 USC § 1441(a) & (c)*** was filed electronically via the Court's CM/ECF system and serving by email and U.S. regular mail, postage pre-paid, on the parties listed below. Notice of filing will be served on all parties registered to this case by operation of the Court's CM/ECF system, and parties may access this filing through the Court's CM/ECF system.

Josef Guttman
721 Campbell Drive
Las Vegas, Nevada 89107
yosigut@gmail.com
Plaintiff in Proper Person

/s/ Andrea Flintz
An employee of Greenberg Traurig, LLP